REMARKS/ARGUMENTS

This is a Response to the Office Action mailed September 26, 2006, in which a three (3) month Shortened Statutory Period for Response was set, and which expired December 26, 2006. Attached is an electronic fee transmittal to cover the fee for a one-month extension of time, to January 26, 2007. Thirty (30) claims, including six (6) independent claims, were paid for in the application. Claims 7-10, 14-15, and 27-30 were canceled by the Applicants in their October 23, 2004, response to the Office Action of June 24, 2004. Claims 1-6, 11-13, 16-17, and 19-26 were canceled and claims 31-49 were added by the Applicants in their June 14, 2006, response to the Office Action of March 17, 2006. Claims 18, 32-35, and 45-49 are currently amended and claims 50-56 are new. No new matter has been added to the application. No fee for additional claims is due by way of this Amendment. The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090. Upon entry of the amendments herewith, claims 18 and 31-56 remain pending.

The cover sheet of the present Office Action indicates that the Attorney Docket No. is INT-200-01. The Attorney Docket No. has been revised to 480062.777. Applicants respectfully request that future correspondence use the current Attorney Docket No. 480062.777

1. Objections to the Claims

At paragraph 3 of the Office Action, claim 1 was objected to because "Applicants are required to spell out UCC.

At paragraph 4 of the Office Action, claims 33 and 46 were objected to because "Applicants are required to spell out the 'EAN symbol.' "

At paragraph 5 of the Office Action, claims 34 and 47 were objected to because "Applicants are required to spell out the 'JAN symbol.' "

At paragraph 6 of the Office Action, claim 1 was objected to because "it contains an embedded hyperlink and/or other form of browser-executable code."

In response to the Objection, the claims 1, 33-34, and 46-47 are amended herewith to remove the objected-to browser-executable code and to spell out the objected-to identified symbols. Accordingly, Applicants respectfully request withdrawal of the objection to the claims.

2. Rejections Under 35 U.S.C. § 103(a)

In the Office Action, at paragraph 8, claims 18 and 31-34 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over *Cragun et al.* (U.S. Patent 5,804,803), hereinafter *Cragun*, in view of *Nerlikar* (U.S. Patent 5,629,981), hereinafter *Nerlikar*. It is well-established at law that, for a proper rejection of a claim under 35 U.S.C. §103 as being obvious based upon a combination of references, the cited combination of references must disclose, teach, or suggest, either implicitly or explicitly, all elements and/or features of the claim at issue. See, *e.g., In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q. 871, 881 (C.C.P.A. 1981).

a. Independent Claim 18

Independent claim 18, as amended, is allowable for at least the ***first reason*** that the proposed combination of *Cragun* in view of *Nerlikar* does not disclose, teach, or suggest "constructing a uniform resource locator (URL) from the data read from the RF tag corresponding to the bar code, wherein a portion of said URL comprises the UCC company identifier ... wherein said 'company identifier' *comprises a number assigned by the UCC*," as recited in claim 18 (emphasis added).

Cragun discloses a system where "the client computer scans the object of interest and translates the code into a URL (Uniform Resource Locator) that specifies both a server computer and the location within the server of information that is relevant to the object" (Abstract and column 2, lines 48-54). *Cragun* further discloses that the "URL is represented in three possible forms: abbreviated form 220, expanded form 230, or data-filled form 240. Either abbreviated form 220 or expanded form 230 could be encoded on object 115, depending on the space available in code 117" (column 5, line 66, to column 6, line 3).

With respect to the abbreviated form 220, *Cragun* discloses that "a modal character (percent sign '%' in the preferred embodiment) indicates that the following information is abbreviated by tokens. In the example of FIG. 2, the 'H' is an abbreviation for 'http://', the first eight hexadecimal digits *are* *converted* *by processing program 110* to a 32-bit number which represents the Internet Protocol (IP) Address, the '/' is the slash literal, the letter 'L' represents a query about the preferred language of the customer, the letter 'N' represents a query about the customer's name, and the letter 'Q' represents a query about the customer's age. A list of the abbreviations used in the preferred embodiment for abbreviated form 220 and *their* *mapping* *by processing program 110 to expanded form 230* are further described in FIG. 4" (column 5, lines 8-20, emphasis added). The exemplary abbreviated form 220 is illustrated with a textual string of "%H1A2B3C4D/LNQ" in Figure 2. Clearly, the abbreviated form 220 does not have the recited URL having the *company identification number assigned by the UCC*.

With respect to the expanded form 230, *Cragun* discloses that "if expanded form 230 does not have query fields, then expanded form 230 is in the standard URL format" (column 6, lines 39-41). As illustrated in Fig. 2, the IP address "26.43.60.77" is part of the URL used by the expanded form 230. With respect to the data-filled form 240, *Cragun* discloses that "program 110 fills in expanded form 230 with data to create data-filled form 240" (column 6, lines 47-48). As illustrated in Fig. 2, the IP address "26.43.60.77" is also part of the URL used by the data-filled form 240. The illustrated exemplary IP address is not the UCC company identification number. Accordingly, the expanded form 230 described above and illustrated in Fig. 2 does not have the recited URL that uses the *company identification number assigned by the UCC*. Similarly, the data-filled form 240 described above and illustrated in Fig. 2 does not have the recited URL that uses the *company identification number assigned by the UCC*.

Cragun does disclose the use of a domain name, which is illustrated as "yummy.corp.com" or as "peanut.food.com" in Fig. 3. *Cragun* discloses that "FIG. 3 shows a data structure that depicts an example of product database 136 at local server 122. ... Product database 136 is keyed on UPC number and contains a variety of information including product name 315, unit price 320, and URL information 325, which can be used to provide information about the product. URL information 325 can either be in abbreviated form 220 or expanded

form 230, as explained above under the description for FIG. 2" (column 7, lines 27-39). However, *Cragun*'s use of the domain name does not go so far as to disclose that the domain name in the URL is the <u>company identification</u> number assigned by the UCC.

Accordingly, *Cragun* does not disclose "constructing a uniform resource locator (URL) from the data read from the RF tag corresponding to the bar code, wherein a portion of said URL comprises the UCC company identifier ... wherein said 'company identifier' *comprises a number assigned by the UCC*," as recited in claim 18. Thus, *Cragun* fails to disclose, teach or suggest every element of the Applicants' claimed invention.

Nerlikar also fails to disclose, teach, or suggest "constructing a uniform resource locator (URL) from the data read from the RF tag corresponding to the bar code, wherein a portion of said URL comprises the UCC company identifier ... wherein said 'company identifier' *comprises a number assigned by the UCC*," as recited in claim 18 Thus, *Nerlikar* fails to disclose, teach, or suggest every element of the Applicants' claimed invention.

Accordingly, the proposed combination of *Cragun* in view of *Nerlikar* does not disclose at least the above-recited limitations of claim 18. Therefore, a *prima facie* case establishing an obviousness rejection by *Cragun* in view of *Nerlikar* has not been made. Thus, claim 18 is not obvious under proposed combination of *Cragun* in view of *Nerlikar* and the rejection should be withdrawn for at least this first reason alone.

Independent claim 18, as amended, is allowable for at least the **second reason** that the *Cragun* system or method, after modification by *Nerlikar*, does not disclose, teach, or suggest "constructing a uniform resource locator (URL) from the *data read from the RF tag corresponding to the bar code*, wherein a portion of said URL comprises the UCC company identifier," as recited in claim 18 (emphasis added).

At most, *Nerlikar* discloses "a closed loop, (networked) information management and security system which provides a secure, end-to-end fully automated solution for controlling access, transmission, manipulation, and auditability of high value information comprising an RFID transponder badge 302 and an RF reader transceiver 315 which is associated with a host peripheral or a network. The RF reader transceiver 315 automatically identifies and verifies authorization of the RFID transponder badge holder via a 'handshake' prior to allowing access to

the host peripheral. The energy generated by the transmission of the interrogation signal from the RF reader means 315 provides a power source which is accumulated and then used to activate a transponder 304 response from the RFID transponder badge 302. The RF reader/transceiver 315 writes the access transaction on either the RFID transponder badge 302 and/or the host peripheral database or the network controller" (Abstract).

Accordingly, if the *Cragun* system or method is modified by the *Nerlikar* RFID transponder badge 302, the modified *Cragun* system or method would be *limited to reading only the information* that is disclosed as residing on the *Nerlikar* RFID transponder badge 302. Nowhere does *Nerlikar* disclose that the RFID transponder badge 302 contains data corresponding to a bar code. Accordingly, it would not be proper to allege that the *Nerlikar* RFID transponder badge communicates bar code information to the *Cragun* system since such is not disclosed in *Nerlikar*.

Therefore, the proposed combination of *Cragun* in view of *Nerlikar* does not disclose at least the above-recited limitations of claim 18. Accordingly, a *prima facie* case establishing an obviousness rejection by *Cragun* in view of *Nerlikar* has not been made. Thus, claim 18 is not obvious under proposed combination of *Cragun* in view of *Nerlikar* and the rejection should be withdrawn for at least this second reason alone

b. Dependent Claims 31-34

Because independent claim 18 is allowable over the cited art of record, dependent claims 31-34 (which depend from independent claim 18) are allowable as a matter of law for at least the reason that the dependent claims 31-34 contain all features/elements of independent claim 18. See, *e.g.*, *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, the rejection to these claims should be withdrawn.

3. Rejections Under 35 U.S.C. § 102(b)

In the Office Action, at paragraph 17, claims 35-49 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by *Cragun*. For a proper rejection of a claim under 35 U.S.C. § 102, the cited reference must disclose all elements and/or features of the claim. See, *e.g.*, *E.I. du*

Pont de Nemours & Co. v. Phillips Petroleum Co., 849 F.2d 1430, 7 USPQ2d 1129 (Fed. Cir. 1988).

a. Independent Claim 35

Independent claim 35, as amended, is allowable for at least the reason that *Cragun* does not disclose, teach, or suggest "constructing a URL from the received bar code information, wherein at least a portion of the URL comprises the UCC company identifier and the UCC item identifier constructed as at least a 'www' followed by at least a 'company identifier' and an 'item identifier'," as recited in claim 35.

Cragun does not disclose, teach, or suggest a URL that includes the UCC company identifier and the UCC item identifier. The Examiner is respectfully referred above to the arguments for allowability of claim 18 for an explanation of why *Cragun* is limited to disclosing use of an IP address or a domain name in a URL, and why *Cragun* fails to disclose that the URL comprises the UCC company identifier and the UCC item identifier. Thus, *Cragun* does not anticipate claim 35 and the rejection should be withdrawn.

b. Independent Claim 48

Independent claim 48, as amended, is allowable for at least the reason that *Cragun* does not disclose, teach, or suggest the feature of "receiving a uniform resource locator (URL) call to access a manufacturer site that includes information pertaining to an item of interest, wherein the URL of the manufacturer site uses a Uniform Code Council (UCC) company identifier as the domain and uses an item identifier to identify the item of interest," as recited in claim 48.

Cragun does not disclose, teach, or suggest a URL that includes the UCC company identifier and the UCC item identifier. The Examiner is respectfully referred above to the arguments for allowability of claim 18 for an explanation of why *Cragun* is limited to disclosing use of an IP address or a domain name in a URL, and why *Cragun* fails to disclose that the URL comprises a UCC company identifier and an item identifier. Thus, *Cragun* does not anticipate claim 48 and the rejection should be withdrawn.

c. Claims 36-47 and 49

Because independent claim 35 is allowable over the cited art of record, dependent claims 36-47 (which depend from independent claim 35) are allowable as a matter of law for at least the reason that the dependent claims 36-47 contain all features/elements of independent claim 35. Similarly, because independent claim 48 is allowable over the cited art of record, dependent claim 49 (which depends from independent claim 48) is allowable as a matter of law for at least the reason that the dependent claim 49 contains all features/elements of independent claim 48. Accordingly, the rejection to these claims should be withdrawn.

4. Newly Added Claims 50-56

New claims 50-56 are based on subject matter that is explicit and/or inherent within the description of the specification and/or the drawings. Applicant submits that no new matter has been added in the new claims 20-38.

New claims 50-56 are allowable over the cited prior art. In particular, neither *Cragun* or *Nerlikar* disclose, teach, or suggest "constructing a uniform resource locator (URL) with the UCC company identifier therein," as recited in claim 50. Claims 51-56 are dependent upon claim 50 and each recite features that are not disclosed in *Cragun* or *Nerlikar*.

Therefore, Applicants request the Examiner to enter and allow the above new claims.

5. Conclusion

In light of the above amendments and remarks, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that all pending claims 18 and 31-56 are allowable. Applicants, therefore, respectfully request that the Examiner reconsider this application and timely allow all pending claims.

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The Examiner is encouraged to contact Mr. Armentrout by telephone to discuss the above and any other distinctions between the claims and the applied references, if desired. If the Examiner notes any informalities in the claims, he is further encouraged to contact Mr. Armentrout by telephone to expediently correct such informalities.

Respectfully submitted,

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